

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention****INHIBITORS OF RNA DEPENDENT RNA POLYMERASE AND USES
THEREOF**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/628,086, filed on July 25, 2003,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Robert DézielCitizen of: CanadaSignature: Robert DézielDate: October 6, 2003Inventor two: Eric FournierCitizen of: Canada

Signature: _____

Date: _____

Inventor three: Arlène RolandCitizen of: France

Signature: _____

Date: _____

Inventor four: _____

Citizen of: _____

Signature: _____

Date: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/01A (08-03).

Approved for use through 10/31/2002. OMB 0651-0032.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE.

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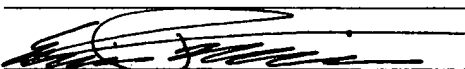
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FULL NAME OF INVENTOR(S)

Inventor one:	<u>Robert Déziel</u>	Citizen of:	<u>Canada</u>
Signature:	<u></u>	Date:	<u></u>

Inventor two:	<u>Eric Fournier</u>	Citizen of:	<u>Canada</u>
Signature:	<u></u>	Date:	<u>Jan 12, 2004</u>

Inventor three:	<u>Arlène Roland</u>	Citizen of:	<u>France</u>
Signature:	<u></u>	Date:	<u></u>

Inventor four:	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 660081.443

418288

PTO/SB/01A (08-03).

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	INHIBITORS OF RNA DEPENDENT RNA POLYMERASE AND USES THEREOF
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/628,086, filed on July 25, 2003,
☐ as amended on _____ (if applicable);


I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

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FULL NAME OF INVENTOR(S)

Inventor one:	<u>Robert Déziel</u>	Citizen of:	<u>Canada</u>
Signature:	_____	Date:	_____
Inventor two:	<u>Eric Fournier</u>	Citizen of:	<u>Canada</u>
Signature:	_____	Date:	_____
Inventor three:	<u>Arlène Roland</u>	Citizen of:	<u>France</u>
Signature:	<u></u>	Date:	<u>30/09/2003</u>
Inventor four:	_____	Citizen of:	_____
Signature:	_____	Date:	_____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 660081.443

418288

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+

PTO/SB/81 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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ELECTION AND POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Applicati n Number	10/628.086
Filing Date	July 25, 2003
First Named Inventor	Robert Déziel
Group Art Unit	
Examiner Name	
Attorney Docket Number	660081.443

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC

OR

☐ Practitioner(s) named below:

Customer Number

00500

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

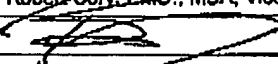
I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the entire interest I/we hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

SIGNATURE of Applicant or Assignee of Record

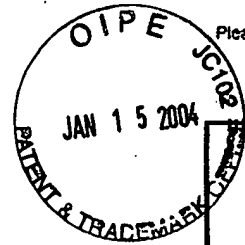
Name	Robert Cory, Ph.D., MBA, Vice President of Business Development
Signature	
Date	January 13, 2004

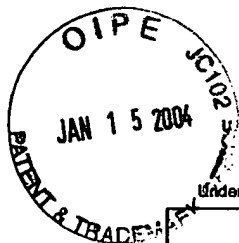
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450.

418283 (01-14-01)





PTO/SB/96 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Robert Déziel, Eric Fournier and Arlene RolandApplication No./Patent No.: 10/628,086 Filed/Issue Date: July 25, 2003Entitled: INHIBITORS OF RNA DEPENDENT RNA POLYMERASE AND USES THEREOFMicrologix Biotech Inc.

(Name of Assignee)

a

corporation(Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the
current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title noted in B above are
attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be
submitted to Assignment Division in accordance with 37 CFR Part 3. If the assignment is to be recorded in the records
of the USPTO. See MPEP 302.8)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

January 13, 2004
DateRobert Cory, Ph.D., MBA

Typed or printed name

(604) 221-9666 x234
Telephone Number
SignatureVice President of Business Development

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ASSIGNMENT

WHEREAS, we, **Robert Déziel**, having the post office address of 546 Chester Street, Montreal, Quebec, Canada H3R 1W9, **Eric Fournier**, having the post office address of 460 Champ de Mars, #306, Montreal, Quebec, Canada H2Y 1B4, and **Arlène Roland**, having the post office address of 4 rue de la pierre bleue, 34160 Castries, France (hereinafter referred to as ASSIGNORS), are the joint inventors of an invention entitled "INHIBITORS OF RNA DEPENDENT RNA POLYMERASE AND USES THEREOF," as described and claimed in the specification for which an application for United States letters patent was filed on July 25, 2003 and assigned Application No. 10/628,086, which application claims the benefit of U.S. Provisional Application No. 60/398,426, filed July 25, 2002;

WHEREAS **Micrologix Biotech Inc.** (hereinafter referred to as ASSIGNEE), a corporation of the Province of British Columbia, in the country of Canada, having a place of business at 3650 Wesbrook Mall, Vancouver, British Columbia V6S 2L2, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

October 6, 2003
Date

Robert Déziel
Robert Déziel

Province of Quebec)
Country of Canada) ss.

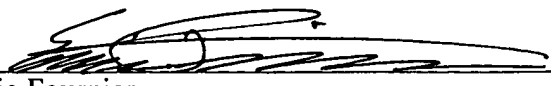
I certify that I know or have satisfactory evidence that Robert Déziel is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____

Signature of
Notary Public _____

Printed Name _____

Jan 12, 2003
Date


Eric Fournier

Province of Quebec)
Country of Canada) ss.

I certify that I know or have satisfactory evidence that Eric Fournier is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____

Signature of
Notary Public _____

Printed Name _____

Date 30/09/2003

Arlène Roland 

City of MONTPELLIER)

Country of France)

ss.

I certify that I know or have satisfactory evidence that Arlene Roland is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____

Signature of
Notary Public _____

Printed Name _____

660081.443 / 418255